

REMARKS

The Examiner rejected claims 1, 10-14 and 33 under 35 U. S. C. § 102. The Examiner relied upon Vestal U. S. Patent Re. 37,485 (hereinafter Vestal) to support this rejection. The Examiner rejected claims 1-10, 15-32 and 34-41 under 35 U. S. C. § 103. The Examiner relied upon the combination of Vestal and Ledford U. S. Patent 5,037,611 (hereinafter Ledford) to support this rejection.

Claims 1-3, 5-9, 15-22, 24, 27-28, 30 and 34-41 are hereby cancelled without prejudice. The rejections of those claims are thus rendered moot.

Claim 4 now recites that “a sample substrate ha[s] a number of samples disposed thereon, the sample substrate positioned in the sample chamber when the door is positioned in the closed position, and a portion of the sample substrate positioned in the ionization chamber when the door is positioned in the open position, the sample substrate comprising a tape having a first end thereof secured to a supply reel and a second end thereof secured to a take-up reel, and both the supply reel and the take-up reel [are] positioned in the sample chamber, a portion of the tape between the supply reel and the take-up reel [is] positioned in the ionization chamber when the door is positioned in the open position.” This specific combination of features is neither disclosed nor suggested by Vestal or Ledford or any combination of them. For example, it is clear from Ledford’s Fig. 15 that Ledford’s cassette 166 with its tape 172 lies outside Ledford’s ionization chamber (coupled to ionization chamber-transfer tube coupling assembly 252) in use at all times. Therefore, claim 4 as amended herein clearly patentably distinguishes over Vestal and Ledford and any 35 U. S. C. § 103 obvious combination of Vestal and Ledford.

Claim 10 now recites a “sample substrate comprising a tape having a first end thereof secured to a supply reel and a second end thereof secured to a take-up reel, both the supply reel and the take-up reel adapted to be positioned in the sample chamber, and a portion of the tape between the supply reel and the take-up reel adapted to be positioned in the ionization chamber when the valve is positioned in the open valve position.” Again, this specific combination of features is neither disclosed nor suggested by Vestal or Ledford or any combination of them. Again, it is clear from Ledford’s Fig. 15 that Ledford’s cassette 166 with its tape 172 lies outside Ledford’s ionization chamber (coupled to ionization chamber-transfer tube coupling assembly 252) in use at all times. Therefore, claim 10 as amended herein clearly patentably distinguishes over Vestal and Ledford and any 35 U. S. C. § 103 obvious combination of Vestal and Ledford.

Claim 23 now recites “positioning a number of samples for mass spectral

analysis in a sample chamber, the positioning step comprising disposing the number of samples on a tape, [] and advancing the number of samples from the sample chamber to an ionization chamber [], the advancing step comprising advancing the tape to the ionization chamber.” Again, this specific combination of features is neither disclosed nor suggested by Vestal or Ledford or any combination of them. It is clear from Ledford’s Fig. 15 that Ledford’s cassette 166 with its tape 172 lies outside Ledford’s ionization chamber (coupled to ionization chamber-transfer tube coupling assembly 252) in use at all times. Therefore, claim 23 as amended herein clearly patentably distinguishes over Vestal and Ledford and any 35 U. S. C. § 103 obvious combination of Vestal and Ledford.

Claim 29 now recites “disposing a number of samples for mass spectral analysis onto a tape, [] and [] advancing the tape, one sample at a time, from the sample chamber to an ionization chamber.” Again, this specific combination of features is neither disclosed nor suggested by Vestal or Ledford or any combination of them. It is clear from Ledford’s Fig. 15 that Ledford’s cassette 166 with its tape 172 lies outside Ledford’s ionization chamber (coupled to ionization chamber-transfer tube coupling assembly 252) in use at all times. Therefore, claim 29 as amended herein clearly patentably distinguishes over Vestal and Ledford and any 35 U. S. C. § 103 obvious combination of Vestal and Ledford.

Finally, claim 33 as amended herein now recites “a tape having a number of samples disposed thereon, the tape having a first end thereof secured to a supply reel and a second end thereof secured to a take-up reel, both the supply reel and the take-up reel positioned in the sample chamber, and a portion of the tape between the supply reel and the take-up reel adapted to be positioned in the ionization chamber when the door is positioned in the open position.” Again, this specific combination of features is neither disclosed nor suggested by Vestal or Ledford or any combination of them. It is clear from Ledford’s Fig. 15 that Ledford’s cassette 166 with its tape 172 lies outside Ledford’s ionization chamber (coupled to ionization chamber-transfer tube coupling assembly 252) in use at all times. Therefore, claim 29 as amended herein clearly patentably distinguishes over Vestal and Ledford and any 35 U. S. C. § 103 obvious combination of Vestal and Ledford.

Accordingly, Applicants submit that their claims 4, 10-14, 23, 25-26, 29 and 31-33, as amended herein, patentably distinguish over the prior art of record, and that this application is in condition for further favorable consideration, culminating in allowance. Such action is respectfully requested.

The Commissioner is authorized to charge any fees, or credit any overpayments, which may be due in order to constitute this a timely response to the May 27,

2004 official action, to Deposit Account 10-0435 with reference to Applicants' undersigned counsel's file 32993-72731. A duplicate copy of this authorization is enclosed for that purpose.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Richard D. Conard". The signature is fluid and cursive, with the first and last names being more prominent.

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